



State of Ohio Environmental Protection Agency

Southwest District Office

40 South Main Street

Dayton, Ohio 45402-2086

(513) 449-6357

FAX (513) 449-6249

US EPA RECORDS CENTER REGION 5



508033

17-40 W 31
off Dryden road.

8/2/89 A.2

Richard F. Celeste
Governor

August 2, 1989

Alcine S. Grillot
South Dayton Landfill
2708 Kreitzer Road
Moraine, Ohio 45439

Gentlemen:

The purpose of this letter is to alert you to your obligations under H.B. 65 enacted by the Ohio General Assembly, and implementing Rule 3745-27-12 of the Ohio Administrative Code.

According to the H.B. 65, effective May 31, 1988, each active or closed sanitary landfill must submit an explosive gas monitoring plan to Ohio EPA, for approval, and subsequently implement the approved plan. The plan was required to be filed eight months after the effective date of the bill, so the deadline for filing was February 1, 1989. We have received no plan for your landfill.

According to Ohio EPA's implementing rule, OAC 3745-27-12 (see attached) the only closed landfills that do not have to file the gas monitoring plan are those that closed before July 1, 1970. Any facility that closed after that date must file the plan. Of course, all active landfills must file the plan. Some exceptions to this paragraph are set forth in the rule (see section 3745-27-12(A) and (Q)).

For active facilities, the owner/operator is responsible for preparing the plan. For closed facilities, the obligation rests on the former owner/operator, or, if he no longer controls the land, upon the subsequent owner or other person who does have control.

Guidance as to how to prepare and implement the plan is set forth in the rule.

Please find the attached forms: "Explosive Gas Monitoring Plan Application Form", "Explosive Station Report", and "Explosive Gas Monitoring Probe Report".

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Because the deadline for filing is past (February 1, 1989), your Explosive Gas Monitoring Plan must be submitted by November 1, 1989. Please contact Mr. Joe Moore or me if you have questions.

Very truly yours,

Fadi Maroun
Fadi Maroun
District Engineer
Southwest District Office

FM/lal

cc: Bob Carey, DSHWM/CO
Joe Moore, DSHWM/SWDO